

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

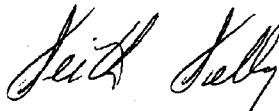
Notice FLP-6

1951-S

For: State and County Offices

**Continuing the State FSA Civil Rights Independent Review Groups
for the Review of Pending Acceleration and Foreclosure Cases**

Approved by: Administrator



Note: No accelerations or subsequent actions on foreclosures or forced liquidations are to proceed until compliance with this notice is achieved. This notice does not apply to accounts previously reviewed by the State FSA Civil Rights Independent Review Group according to Notice FC-150.

1 Overview

A

Background

Expired Notice FC-114 was issued to establish a procedure for reviewing all pending foreclosure cases and those facing acceleration. Notice FC-150 was later issued to establish the State FSA Civil Rights Independent Review Group and provide updated checklists to be submitted to SED for review.

B

Purpose

This notice:

- replaces expired Notice FC-150

Note: FSA-580 and FSA-581 have not been changed and are available on FSA BBS in the National Forms library.

- streamlines and simplifies the review process by not requiring the State Food Agriculture Council (FAC) Chairperson or Vice Chairperson to be a member of the Review Group.

Note: This will alleviate logistical problems, such as any undue delay.

Disposal Date

September 1, 1999

11-17-98

Distribution

State Offices; State Offices relay to County Offices

2 Action

A Continuing the State Review Group

Each State Office shall reestablish the appointment of the Civil Rights Independent Review Group, which is representative of the State population, to determine whether discrimination or inequitable treatment contributed to the failure of the farming operation. Each member in the group must have an equal voice. The group shall consist of at least the following:

- FAC member or designee
- SED
- STC Minority Advisor or STC minority member
- Civil Rights Coordinator
- Farm Loan Chief.

Ideally, the FAC member or designee should be a non-FSA, USDA employee who is qualified to make the determination specified above. If SED contacts the other USDA FAC members and none wish to participate or designate a member of their staff to participate, SED shall document the contact and may choose a qualified FSA employee, who lends additional diversity, to be the fifth member of the Review Group.

B Review Procedure

The State FSA Civil Rights Independent Review Group shall review the exhibits submitted to the State Office and complete FSA-581. FSA-581 must be signed by the FAC member or designee, SED, STC Minority Advisor or STC minority member, Farm Loan Chief, and Civil Rights Coordinator to show that no evidence of inconsistencies, inequitable treatment, or discrimination complaints, written or oral, exists and the borrower has received all applicable primary loan servicing options before proceeding with acceleration or foreclosure.

After all members of the State FSA Civil Rights Independent Review Group sign FSA-581, FAX it to LSPMD at 202-720-7686. LSPMD shall provide copies to the Director, CR&SBUS. If inequitable treatment exists and it cannot be determined whether it may be discriminatory, contact Acting Staff Director David Winningham, CR&SBUS, at any of the following:

- 202-418-9074 (telephone)
- 202-418-9068 (voice mail)
- 202-418-9124 (FAX).

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